

REMARKS

The Office Action dated October 17, 2007 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1-5, 7, 9-10, 12-32 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claims 33-36 are newly added. No new matter has been added and no new issues are raised which require further consideration or search.

Claims 1, 4-5, 7-10, 13-15, 18, 20, 22 and 25-27 were rejected under 35 U.S.C. §102(b) as being anticipated by Rosen et al. (U.S. Patent Publication No. 2002/0173327). This rejection is respectfully traversed for at least the following reasons.

Claim 1, upon which claims 2-6 are dependent, recites a method that includes sending first signaling from a first user equipment via a serving access network of the first user equipment to a first media communication server in response to a user's action during an established real-time media session. The method further includes sending second signaling from the first media communication server towards the first user equipment, sending third signaling from the first media communication server towards second user equipment. The method also include sending, immediately after one of the first, the second, and the third signaling, dummy media traffic from the first media communication server towards the first and a second user equipment, in order to trigger a dedicated-channel setup for at least one of the first and second user equipment in their respective serving access networks, and prior to beginning an actual user media stream

from the first user equipment.

Claim 7, upon which claims 8-12 are dependent, recites a method that includes establishing a real-time media session between a first user equipment and a second user equipment via a serving access network of the first user equipment, via at least a first media communication server, and via a serving access network of the second user equipment. The method includes sending, by one of the media communication server and a support node in a packet-switched core network during inactive periods of the real-time media session, dummy media towards at least one of the first and second user equipment in order to reset an inactivity timer of a common channel state in the serving access network of the respective user equipment and to thereby prevent the respective user equipment from going to an idle state.

Claim 13, upon which claims 14-17 are dependent, recites an apparatus that includes a receiver configured to receive first signaling sent by a first user equipment via a serving access network of the first user equipment in response to user's action during a real-time media session established between the first user equipment and a second user equipment. The apparatus includes a transmitter configured to send second signaling towards the first user equipment upon receiving said first signaling. The transmitter is also configured to send third signaling towards the second user equipment upon receiving said first signaling, and send, immediately following one of the first, second, and third signaling, dummy media traffic towards one of the first and second user equipment in order to trigger a dedicated channel setup for the one of the first and the second user equipment in a respective serving access network prior to beginning an actual user media

stream from the first user equipment.

Claim 18, upon which claims 19-21 are dependent, recites an apparatus that includes an establisher configured to establish a real-time media session between a first user equipment and a second user equipment via a serving access network of the first user equipment and via a serving access network of the second user equipment. The apparatus also includes a transmitter configured to send, during inactive periods of the real-time media session, dummy media towards at least one of the first and second user equipment in order to reset an inactivity timer of a common channel state in the serving access network of the respective user equipment and to thereby prevent the respective user equipment from going to an idle state.

Claim 22, upon which claims 23-24 are dependent, recites an apparatus that includes an establisher configured to establish a real-time media connection between a user equipment located in a radio access network and a media communication server. The apparatus also includes a transmitter configured to send, during inactive periods of the real-time media connection, dummy media towards the user equipment in order to reset an inactivity timer of a common channel state in the radio access network and to thereby prevent the respective user equipment from going to an idle state.

Claim 25, upon which claims 26-32 are dependent, recites an apparatus that includes an establisher configured to establish a real-time media session via an access network and a media communication server. The apparatus includes a transmitter configured to send a first signaling via the access network to the media communication server in response to user's action during the established real-time media session. The

transmitter is also configured to send immediately following the first signaling dummy media traffic to the media communication server in order to trigger a dedicated channel setup for the user equipment in the access network of the user equipment prior to beginning an actual user media stream.

Claims 33-36 are means-plus-function variations of claims 13, 18, 22 and 25.

As will be discussed below, the teachings of Rosen fail to disclose or suggest all of the elements of the claims, and therefore fails to provide the features discussed above. The rejection is respectfully traversed for at least the following reasons.

Rosen disclose a group communication system. The system uses a push-to-talk implementation, in which a group of communication device users, individually known as “net members”, communicate with one another using a communication device assigned to each net member.

The Office Action refers to FIG. 2 of Rosen when rejecting claim 1. The description associated with FIG. 2 teaches that in order to participate in the group communication system, communication devices (CDs) may request a transmission privilege from a controller or a communications manager (CM) (see paragraph [0026] of Rosen). More specifically, when a user desires to transmit information to other net members, the user may depress the push-to-talk switch, sending a floor-control request to obtain the transmission privilege from CM. If no other net member is currently assigned the transmission privilege, the requesting user may be granted the transmission privilege. After the requesting user has been granted the transmission privilege, information may

then be transmitted from that user to another net member (see paragraph [0030] of Rosen).

In FIG. 2, the reference 210 denotes session initiation protocol (SIP) signaling which is utilized to begin and end user participation in a communication net or group. When the user's participation within the group or net is setup, e.g., by using SIP channel 210, real-time call control and signaling between the CD and the CM takes place using media signaling channel 212. (Emphasis added) Media traffic on the media traffic channel 214 may comprise of real-time point-to-multi-point voice and/or data broadcasts (see paragraphs [0042] and [0043] of Rosen).

Rosen is directed towards reducing the push-to-talk (PTT) latency when a user presses the PTT button in a dormant state and the CD transitions to an active state. Rosen discloses reducing the latency by sending group call signaling, such as the floor-control requests, floor-control responses, and dormancy wakeup messages, on some available common channels, without waiting for dedicated traffic channels to be re-established. (Emphasis added) Such common channels may always be available regardless of the state of the mobiles, and may not require a request or reassign operation to occur each time a user wishes to initiate a group call. Therefore, the group call signaling may be exchanged even when mobiles are in a dormant state. (see paragraph [0059] of Rosen).

In Rosen, no media traffic can be transmitted until a traffic channel is setup by a separate signaling sequence (see paragraph [0059] of Rosen). Rosen fails to teach sending...dummy media traffic from the first media communication server towards the first and a second user equipment, in order to trigger a dedicated-channel setup for at

least one of the first and second user equipment in their respective serving access networks, and prior to beginning an actual user media stream from the first user equipment”, as recited, in part, in claim 1.

The Office Action refers to lines 1-7 of paragraph [0071] of Rosen as allegedly disclosing sending dummy media traffic, and to lines 1-9 of paragraph [0072] as allegedly disclosing triggering a dedicated-channel setup by the dummy media traffic. Applicants disagree with the alleged teachings of paragraphs [0071] and [0072] of Rosen. Referring to paragraph [0071], Rosen discloses sending media signaling wakeup messages. As discussed above, the media signaling 212 between the CD and the CM denotes a real-time **call control signaling which is different from the media traffic** (see paragraphs [0042] and [0043]). (Emphasis added)

The Office Action also refers to paragraphs [0059], [0064], [0067], and [0068] in Rosen as allegedly teaching sending dummy media traffic. Applicants respectfully disagree that any of these paragraphs disclose sending dummy media traffic. Paragraph [0059] discloses sending signaling messages on common channels from/to a communication device. Paragraph [0064] discloses sending media-signaling messages from a communication device. Paragraphs [0067] and [0068] disclose operation of a communication server and to media-signaling. Thus, none of paragraphs [0059], [0064], [0067], and [0068] of Rosen disclose sending dummy media traffic.

Therefore, Rosen fails to teach or suggest triggering a dedicated-channel call setup by “sending dummy media traffic from the first media communication server towards the first and a second user equipment, in order to trigger a dedicated-channel

setup for at least one of the first and second user equipment in their respective serving access networks, and prior to beginning an actual user media stream from the first user equipment”, as recited, in part, in claim 1, and similarly in claims 7, 13, 18, 22, 25 and 33-36. To the contrary, Rosen discloses explicitly using signaling messages for controlling the call and channel resources.

Therefore, for at least the reasons stated above, Rosen fails to teach all of the subject matter recited in independent claims 1, 7, 13, 18, 22, 25 and 33-36. By virtue of dependency, Rosen also fails to teach all of the subject matter recited in claims 2-6, 8-12, 14-17, 19-21, 23-24 and 26-32. Withdrawal of the rejections is kindly requested.

Notwithstanding the above noted deficiencies of Rosen, Applicants submit Rosen further fails to teach additional features of independent claims 7, 18 and 34-35. For instance, Rosen also fails to teach “sending...dummy media...in order to reset an inactivity timer...and to thereby prevent the respective user equipment from going to an idle state”, as recited, in part, in claims 7, 18, and 34-35.

The Office Action refers to lines 5-14 of paragraph [0074] and lines 1-7 of paragraph [0071] of Rosen as allegedly disclosing these features. Applicants disagree and submit that Rosen simply does not disclose the above noted features of Claims 7, 8 and 34-35.

Rosen discloses a wakeup trigger message as a signaling message sent on a common signaling channel, while the target listeners’ traffic channels have not yet been re-established (see paragraph [0074] of Rosen). The wakeup trigger is not dummy media traffic. (Emphasis added) Moreover, the wakeup trigger is sent during the dormant/idle

state. This is contrary to the subject matter recited in claims 7, 18 and 34-35, which recites, in part, dummy media traffic is sent in order to prevent transition to the dormant/idle state. (Emphasis added)

Therefore, for at least these additional reasons, Rosen fails to disclose the subject matter recited in claims in claims 7, 18, and 34-35. Withdrawal of the rejection of those claims, and those claims dependent thereon, is kindly requested.

Claims 6, 11-12, 16, 21, 23-24 and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rosen in view of Barany et al. (U.S. Patent Publication No. 2002/0034166). Applicants respectfully traverse this rejection.

Rosen is discussed above. Barany discloses a communications system that includes a wireless access network coupled to a packet-based data network. Packet-based calls may be established between a mobile station coupled to the wireless access network and a network endpoint coupled to the data network. Call control signaling, such as session initiation protocol (SIP) messages and resource reservation protocol (RSVP) messages, are carried in traffic channels over the wireless access network.

Claims 6, 11-12, 16, 21, 23-24 and 28 are dependent upon claims 1, 7, 13, 18, 22 and 25 and inherit all of the limitations thereof. As discussed above, Rosen fails to disclose or suggest all of the elements of 1, 7, 13, 18, 22 and 25. In addition, Barany fails to cure the deficiencies in Rosen as Barany also fails to disclose or suggest “triggering a dedicated-channel call setup by sending dummy media traffic from the first media communication server towards the first and a second user equipment, in order to trigger a dedicated-channel setup for at least one of the first and second user equipment in their

respective serving access networks, and prior to beginning an actual user media stream from the first user equipment”, as recited, in part, in claim 1, and similarly in claims 7, 13, 18, 22, 25 and 33-36.” Thus, the combination of Rosen and Barany fails to disclose or suggest all of the elements of claims 6, 11-12, 16, 21, 23-24 and 28. Furthermore, claims 6, 11-12, 16, 21, 23-24 and 28 should be allowed for at least their dependence upon claims 7, 13, 18, 22, 25 and 33-36, and for the specific limitations recited therein.

For at least the reasons discussed above, Applicants respectfully submit that the cited references fail to disclose or suggest all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 1-36 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Petition for Extension of Time
Additional Claims Transmittal
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